

Amendment Dated 11/08/05  
Response to Office Action Dated 08/08/05

Application No. 09/858,694  
Attorney Docket No. 005222.00153

### REMARKS

Claims 1-18 are pending with the response to this Office Action. Claims 1-18 stand rejected. Applicant is amending claims 1 and 10 in this paper.

Applicant acknowledges the withdrawal of the non-statutory double patenting rejections of claims 1 and 10.

#### Claim Rejections – 35 U.S.C. § 102

Claims 1-18 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by WO 97/44766 (Cook). Applicant is amending claim 1 to clarify what is being claimed by including the feature of “providing a dynamic toolbar on the display to assist the student with achieving the goal, the dynamic toolbar being configurable for the presentation to enable the student to navigate through the presentation and to access the feedback.” (Emphasis added. The Amendment is supported by the specification as originally filed. For example, the specification discloses (Page 13, lines 2-7. Emphasis added.):

Figure 7 illustrates the use of a toolbar to navigate and access application level features in accordance with a preferred embodiment. A student uses a toolbar to navigate and also to access some of the application-level features of the application. The toolbar is the inverted L-shaped object across the top and left of the interface. The top section of the toolbar allows the user to navigate to tasks within the current activity. The left section of the toolbar allows the student to access other features of the application, including feedback. The student can have his deliverables analyzed and receive feedback by clicking on the Team button.

As taught by the above teachings of the present patent application, the user is provided a toolbar that is configured for the presentation so that the user can navigate tasks within the current activity and can access other features of the application. For example, the toolbar that is shown in Figure 7 includes the “Journalize” selection for a journalizing presentation. (Page 13, lines 2-19.) The Office Action alleges that Cook anticipates (page 3, section 5):

...(d) providing a dynamic toolbar being configurable for the presentation (Cook, Fig. 2A; Fig. 3, Item 310; p 32, l 17-20) (EN: processor, memory and control logic are genetic features of a computer to be found through out the prior art of Cook).

The Office Action further alleges (Page 6, section 7.):

Para. 11 applies. Further limitations appearing in the specification but not recited in the claim are not read into the claim. Cook @ p 32, l 17-20 states in reference to Fig. 2A: “The system area at the top includes toolbar 218 for selecting

Amendment Dated 11/08/05  
Response to Office Action Dated 08/08/05

Application No. 09/868,694  
Attorney Docket No. 005222.00153

particular available system components. In particular, always available on this toolbar are selection icons 219 for the calendar and scheduling tool. "The calendar and scheduling tool" would always provide, among other features, a current date which has the feature of being dynamic and "configurable for the presentation" ... such is how a calendar tool works. Cook anticipates the applicant's feature of "the dynamic toolbar being configurable for the presentation."

However, Cook merely teaches (Page 32, 117-20):

The system area at top includes toolbar 218 for selecting particular available system components. In particular, always available on this toolbar are selection icons 219 for the calendar and scheduling tool.


Cook merely teaches a toolbar for general purpose tools (calendar and scheduling tool) that are accessible by a student and that does not enable the student to navigate through the presentation and to access the feedback. As taught by Cook, toolbar 310 and toolbar 218 merely support general purpose tools (corresponding to icons for a calculator, word processor, dictionary, and communications as further disclosed in Table 1) that may used in any presentation of the agent based instruction (ABI) system.

Similarly, claim 10 includes "logic that presents a dynamic toolbar on the display to assist the student with achieving the goal, the dynamic toolbar being configurable for the presentation to enable the student to navigate through the presentation and to access the feedback." Moreover, claims 2-9 and 11-18 ultimately depend from claims 1 and 10 and are not anticipated for at least the above reasons. Applicant requests reconsideration of claims 1-18

It is respectfully submitted that the present application is in condition for allowance, and a Notice to that effect is earnestly solicited.

Respectfully submitted,

Date: November 8, 2005

  
Kenneth F. Smolik  
Registration No. 44,344  
BANNER & WITCOFF, LTD.  
10 S. Wacker Drive, Suite 3000  
Chicago, IL 60606-7407  
Telephone: 312-463-5000  
Facsimile: 312-463-5001